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ATTACHMENT A

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Frank H. Figgers, III, Task Force Officer, United States Postal Inspection Service, having been duly sworn under oath, state as follows:

1. Your affiant is a certified police officer employed full time with the Virginia State Police and holds the rank of Special Agent. I am currently assigned as a Task Force Officer with the United States Postal Inspection Service (“USPIS”) in the Roanoke, Virginia Domicile. I am authorized to investigate criminal and civil matters related to the United States Postal Service and the mails; serve warrants and subpoenas; make arrests; carry firearms; make seizures of property; administer oaths; and perform such other official duties as may be established by the Chief Postal Inspector. I have been employed as a sworn officer with the Virginia State Police since January 1989 and have worked the drug interdiction arena with the Virginia State Police since 2003. My work has included highway drug interdiction and parcel interdiction at other commercial parcel businesses. I have received formal training in conducting criminal investigations into drug trafficking and money laundering organizations that utilize the United States Postal Service (“USPS”). During my tenure as a Special Agent, I have conducted and participated in numerous investigations of criminal activity that have violated both federal and state law.

2. I know based on training and experience that the U.S. Mail is often used by drug trafficking organizations to transport controlled substances and proceeds from the sale of controlled substances. I know based on training and experience that USPS Priority Mail and Priority Mail Express are commonly used to transport controlled substances, and drug trafficking

proceeds, because drug traffickers can track parcels, control dispatch times and locations, and have a guarantee of delivery in one to three days.

3. This affidavit is submitted in support of an application for a search warrant of a USPS Priority Mail Express parcel bearing tracking number “EI 266 493 655 US” for controlled substances and/or the proceeds from drug trafficking. The parcel (hereafter referred to as Parcel #1) is described as follows:

- a. Addressee: Ariel Vigorito, 2341 E. Paradise Dr., Pheonix, AZ 85028
- b. Return Address: AIP, 16633 Lee Highway, Bristol, VA 24202
- c. Postage Affixed: Origin: 24203; Postage: \$61.95; Date: JAN 12, 2023
- d. Tracking Number: EI 266 493 655 US
- e. Description: USPS Express Mail box bearing a USPS Priority Mail Express label
- f. Weight: 2 pounds 6 ounces

4. On January 12, 2023, Parcel #1 was identified as a suspected drug proceeds parcel during outbound interdiction and subsequently retrieved from the mail stream. Parcel #1 is a white USPS Express Mail box bearing a USPS Priority Mail Express label and addressed to Phoenix, Arizona. Arizona is a known source area for drug parcels mailed into the Western District of Virginia and conversely, a known destination area for parcels containing drug proceeds. Parcel #1 was paid with cash and mailed from the Bristol Post Office located in Bristol, Virginia. A photograph of Parcel #1 is attached as Exhibit #1.

5. A search of postal business records for both the sender and recipient addresses shows five (5) previous parcel were mailed to 2341 E. Paradise Drive, Phoenix, AZ from Bristol, VA from March 2022 to November 2022. The previous parcel mailed on November 4, 2022 to Phoenix, Arizona listed the same shipper and recipient information as Parcel #1. The previous

parcels mailed to 2341 E. Paradise Drive, Phoenix, AZ ranged in weight from two (2) to four (4) pounds. There were no previous parcels mailed from Arizona to 16633 Lee Highway, Bristol, Virginia.

6. Your affiant made inquiries via CLEAR, an electronic database that has proven reliable in previous investigations in determining the legitimacy of name, address, and phone number information. "AIP" could be associated to the sender address, 16633 Lee Highway, Bristol, VA 24202. According to open sources on the internet, "AIP" appears to be a business know as Architectural Interior Products, INC. An internet Google search shows an image of a commercial property with signage to include the company name and telephone number. There is no website listed for the business. Your affiant called the number and found it not in service. The signage also states they sell commercial doors and hardware.

7. The recipient, "Ariel Vigorito" was unable to be associated to the destination address of 2341 E. Paradise Drive, Phoenix, AZ 85028. This address is a private residence single-family dwelling. CLEAR reports that a "Ariel Vigorito" resides at 13211 N. 8th Avenue, Phoenix, Az 85029 as recently as June 2022. The E. Paradise Drive and 13211 N. 8th Avenue addresses are separated by approximately three (3) miles. CLEAR reports that "Ariel Vigorito" resided at 2341 E. Paradise Drive, Phoenix, AZ from January 2013 to September 2017. Also, "Phoenix" is misspelled as "Pheonix." Based on your affiant's training and experience, drug traffickers will often use these businesses when mailing parcels containing drug proceeds in order to conceal the true identity or association of the involved parties from law enforcement should the parcel and proceeds be seized.

8. On January 13, 2023, your affiant took possession of Parcel #1 and requested a narcotic detection canine from the Virginia State Police (VSP). Trooper J.C. Kirkland, and his narcotic detection canine, “BRUIN,” responded to the USPS Roanoke Processing and Distribution Center located at 419 Rutherford Avenue NE, Roanoke, Virginia 24022. Parcel #1 was placed in a parcel line-up, consisting of Parcel # 1 and randomly selected parcels, and then subjected to an exterior search by Canine “BRUIN.” Trooper Kirkland advised your affiant that Canine “BRUIN” positively alerted to Parcel #1 at approximately 9:20 a.m. According to Trooper Kirkland, this positive alert meant Canine “BRUIN” detected presence of the odor of an illegal drug emanating from Parcel #1. A supporting affidavit of the narcotics detection training completed by Trooper Kirkland and Canine “BRUIN” is provided as Exhibit #2.

9. At this time, Parcel #1 is located at the USPIS-Roanoke Domicile in the Western District of Virginia. The parcel has been maintained unopened, in my custody, pending application for a search warrant.

10. Based on the facts set forth in this affidavit, I respectfully submit that probable cause exists to believe that the USPS Priority Mail Express parcel bearing tracking number “EI 266 493 655 US,” addressed to “Ariel Vigorito, 2341 E. Paradise Drive, Pheonix, AZ 85028” bearing a return address of “AIP, 16633 Lee Highway, Bristol, VA 24202” contains controlled substances, and/or the proceeds which are evidence thereof, and/or contraband, in violation of Title 21, United States Code, Sections 841(a)(1) and 843(b).

Frank H. Figgers, III
Frank H. Figgers, III
Task Force Officer, USPIS

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by reliable electronic means; specifically, by telephone, on the 13th day of January 2023.

Robert S. Ballou

The Honorable Robert S. Ballou
United States Magistrate Judge
Western District of Virginia